

**262.440 Court may require performance and may authorize board to do work.**

The court may dismiss the petition filed under KRS 262.430, or it may require the defendant to perform the work, operations or avoidances, and may provide that upon the failure of the defendant to initiate performance within the time specified in the order of the court and to prosecute the work to completion with reasonable diligence, the board may enter upon the lands involved and perform the work or operations or otherwise bring the condition of those lands into conformity with the regulations and recover the costs and expenses thereof, with interest at the rate of five percent (5%) per annum, from the defendant.

**Effective:** October 1, 1942

**History:** Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 42i-11.